

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DESHAWN DRUMGO, SR.,

No. 3:20-CV-01829

Plaintiff,

(Chief Judge Brann)

v.

(Chief Magistrate Judge Mehalchick)

SERGEANT FUNK, *et al.*,

Defendants.

ORDER

FEBRUARY 27, 2023

Deshawn Drumgo, Sr. filed this civil rights complaint alleging that his rights have been violated by numerous defendants.¹ Drumgo has filed a motion for a temporary restraining order, along with a motion to appoint counsel.² On January 26, 2023, Chief Magistrate Judge Karoline Mehalchick issued a Report and Recommendation recommending that this Court deny Drumgo's motions.³ No timely objections were filed to this Report and Recommendation.

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error.⁴ Regardless of whether objections are made, district courts may accept, reject, or modify—in whole or in part—the

¹ Doc. 1.

² Docs. 47, 65.

³ Doc. 68.

⁴ Fed. R. Civ. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed).

findings or recommendations made by the magistrate judge.⁵ Upon review of the record, the Court finds no error in Chief Magistrate Judge Mehalchick's conclusion that Drumgo's motions should be denied. Consequently, **IT IS HEREBY ORDERED** that:

1. Chief Magistrate Judge Karoline Mehalchick's Report and Recommendation (Doc. 68) is **ADOPTED**;
2. Drumgo's motion for a TRO (Doc. 47) and motion to appoint counsel (Doc. 65) are **DENIED**; and
3. This matter is **REMANDED** to Chief Magistrate Judge Mehalchick for further proceedings.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge

⁵ 28 U.S.C. § 636(b)(1); Local Rule 72.31.